

Legislative Report Pursuant to IC 12-17-2-18.5(d)

Pursuant to IC 12-17-2-18.5(a), the Department of Child Services, Child Support Bureau “(a) shall establish a program to allow a prosecuting attorney with which the bureau has contracted under section 18 of this chapter to contract with a collection agency licensed under IC 25-11 to provide child support enforcement services.

(b) The bureau shall:

(1) establish a list of approved collection agencies with which a prosecuting attorney may contract under this section;

(2) establish requirements for participation in the program established under this section to assure:

(A) effective administration of the plan; and

(B) compliance with all federal and state statutes, regulations, and rules;

(3) update and review the list described in subdivision (1) and forward a copy of the updated list to each prosecuting attorney annually; and

(4) pre-approve or approve all contracts between a collection agency and a prosecuting attorney.”

Pursuant to the above referenced provision, the Department of Child Services, Child Support Bureau (“bureau”), must also do the following:

“Not later than July 1, 2006, the bureau shall provide the legislative council with a report: (1) evaluating the effectiveness of the program established under this section; and (2) evaluating the impact of arrearage reductions for child support orders under which collection agencies have collected under IC 12-17-2-18(c).”

Activities to date:

- Formulated criteria for “Approved List of Private Collection Agencies” with whom the county prosecutors may contract.
- Communicated the criteria to private collection agencies that had contacted the bureau about this work.
- Accepted and reviewed through a due diligence process the applications from private collection agencies who wished to be on the Approved List.
- Published and send to all county prosecutors the Approved List of private collection agencies.
- Negotiated a contract between the State, Marion County and a private collection agency for the provision of services for Marion County state-owed arrears.
- Currently gaining State approval of this contract, which can then be used as a model contract for other counties wishing to procure these types of services.

Because no contracts are yet in place, the effectiveness of the program can not yet be determined. However, the Department of Child Services will be monitoring these contracts and report to the Legislative Council when appropriate data is collected. This program is dependent upon the prosecuting attorney agreeing to this program. However, it is the Department's intent to encourage participation with this program.